

Notice of Allowability

Application No.

10/733,219

Examiner

David G. Cervetti

Applicant(s)

MARCJAN, CEZARY

Art Unit

2136

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 8/31/2007.
2. ☒ The allowed claim(s) is/are 1-5,9-15,17-26,28-32,34 and 36-39.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____
- ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
- ☐ Notice of Informal Patent Application
- ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
- ☐ Examiner's Amendment/Comment
- ☒ Examiner's Statement of Reasons for Allowance
- ☐ Other _____


KAMBIZ ZAND
SUPERVISORY PATENT EXAMINER

/David Garcia Cervetti/

DETAILED ACTION

1. Applicant's arguments filed August 31, 2007, have been fully considered.
2. Claims 1-5,9-15,17-26,28-32,34 and 36-39 are pending and have been examined.

Response to Amendment

3. The objections to claims 13, 19, and 33 are withdrawn.
4. The rejection of claim 31 under 35 U.S.C. 112, second paragraph, is withdrawn.

Allowable Subject Matter

5. The following is an examiner's statement of reasons for allowance:
 - claims 1-5,9-15,17-26,28-32,34 and 36-39 are allowed;
 - regarding independent claims 1, 14, 25, 30, and 34, the prior art of record neither alone nor in combination teach "a classifier that automatically performs load balancing of the data sharing process, learning a level of access of the requestor, determining levels of priority for scheduling the sharing of the data, and analyzing content of the data to determine permission levels" (claims 1 and 14), "verifying if the request is associated with a key that permits access to the data; transmitting rules data with the shared data such that the shared data can be manipulated only in conformity with the rules data" (claim 25), "automatically estimating a level of security of an environment of the sharor in which the data is stored" (claim 30), or "determining one or more levels of access for the requestor; and establishing a secure tunnel between a sharor of the data and the requestor wherein the

requestor must store the data with at least the same level of security in which the data is stored at the sharor" (claim 34) in combination with the other limitations recited in independent claims 1, 14, 25, 30, and 34;

- claims 2-5 and 9-13, 15 and 17-24, 26 and 28-29, 31-32, and 36-39 are allowed because of their dependence from independent claims 1, 14, 25, 30, and 34, respectively.

6. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to David G. Cervetti whose telephone number is (571)272-5861. The examiner can normally be reached on Monday-Tuesday and Thursday-Friday.

8. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nasser Moazzami can be reached on (571)272-4195. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.


9. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR.

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Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/David García Cervetti/


KAMBIZ ZAND
SUPERVISORY PATENT EXAMINER